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09/803,149	03/12/2001	Mitsuhiko Yoshimura	500.39846X00	3259

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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 11/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/803,149

Applicant(s)

YOSHIMURA ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Claims Status

Claims 1-19 are pending. Claims 1-19 are rejected in this office action.

Specification Objection

Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.

An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "the first user name and the second user name representing a same user." The limitation is indefinite because it is difficult to determine the number of users that applicant is attempting to claim, i.e. a first user and/or a second user. For purposes of this examination, examiner will assume that because the first user name and the second user name represent the same user, the first user name is the same as the second user name.

Claims 1 and 9 recite “and correlating dispersed data identification information for identifying a first user name permitted to access the dispersed data” and “correlating integrated data identification information for identifying a second user name.” The above limitations state that a first user has access to distributed data and the second user has access to integrated data. However, the above limitations are contradicted by the following limitations also from claims 1 and 9 which state “means for controlling the operation indicated by said access request and respectively applied to said plurality of dispersed data included in the integrated data.” It is difficult to determine what is dispersed data and what is integrated data since the dispersed data is included in the integrated data. For purposes of this examination, examiner will assume dispersed data and integrated data are the same. Furthermore, since dispersed data cannot be distinguished from integrated data, examiner will assume that the difference between the first user and the second user is indefinite.

Claims 1 and 9 recite “by using a corresponding relationship between said dispersed data access privilege and said integrated data access privilege wherein the dispersed data access privilege and the integrated data access privilege are decided independently from each other, the corresponding relationship allowing the user access to the dispersed data included in the integrated data using either the first user name or the second user name.” The above limitations are indefinite and confusing because it is unclear how there can be a corresponding relationship between the access privileges while simultaneously the access privileges are decided independently from each other. For purposes of this examination, examiner will assume that access privileges, if in fact there are multiple access privileges, are determined independently.

Claims 2-8 and 10-19 are rejected for being dependent from a rejected base claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,453,353 issued to Win et al (hereafter Win), as best examiner is able to ascertain.

Claims 1 and 9:

Win discloses:

- means for storing dispersed data [protected server 104, 112, Fig 1, col 4, lines 33-49] and means for storing a dispersed data access privilege [access server 106, Fig 1], said dispersed-data access privilege being an access privilege to the dispersed data, and correlating dispersed data identification information for identifying a first user name [user 1, role 1, col 5, lines 21-54] permitted to access the dispersed data and a dispersed data operating right indicative of operation contents by which the first user name indicated by said dispersed data identification information is permitted to operate the dispersed data and
- said multi-database processing apparatus includes means for receiving [browser 100, Fig 1, col 5, lines 1-10] a plurality of the dispersed data from said plurality of database apparatuses based on a request for integrating data from said user processing apparatus; means for integrating [browser 100, Fig 1, col 5, lines 1-10] said plurality of received

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dispersed data to generate integrated data dynamically; means for storing an integrated-data access privilege [access server 106 and registry server 108, col 4, lines 50-65], said integrated-data access privilege being an access privilege to the integrated data, and correlating integrated-data identification information for identifying a second user name [user 1, role 2, col 5, lines 21-54] said user processing apparatus permitted to access the integrated data and an integrated-data operating right indicative of operation contents by which the second user name or user processing apparatus indicated by said integrated-data identification information is permitted to operate the integrated data, the first user name and the second user name representing a same user:

- means for receiving an access request [col 5, line 65 – col 6, line 16], said access request being an access request for operation on a portion of the integrated data from said user processing apparatus, and containing the identification information for identifying the second user name or the user processing apparatus concerned, the portion being the dispersed data, and
- means for controlling the operation [Fig 3A, col 8, lines 5-22] indicated by said access request and respectively applied to said plurality of dispersed data included in the integrated data by using a corresponding relationship between said dispersed data access privilege and said integrated data access privilege wherein the dispersed data access privilege and the integrated data access privilege are decided independently from each other, the corresponding relationship allowing the user access to the dispersed data included in the integrated data using either the first user name or the second user name.

Claims 2 and 10:

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Win discloses wherein the operation contents indicated by said dispersed-data operating rights includes at least one of insert, select, change, and copy of the dispersed data [col 5, lines 12-21].

Claims 3 and 11:

Win discloses wherein the change of the dispersed data includes at least one of update, substitute, and delete of the dispersed data and addition of data to the dispersed data [col 5, lines 12-21].

Claims 4 and 12:

Win discloses wherein the operation contents indicated by said integrated-data operating rights includes at least one of insert, select, change, and copy of the integrated data [col 5, lines 21-65].

Claims 5 and 13:

Win discloses wherein the change of the integrated data includes at least one of update, substitute, and delete of the integrated data and addition of data to the integrated data [col 5, lines 21-65].

Claims 6, 14, 15 and 17:

Win discloses wherein when operation indicated by said access request is operation applied to dispersed data which the user or user processing apparatus identified by said user identification information is inhibited from operating, said controlling means limits the operation indicated by said access request [col 8, lines 57-63].

Claim 7 and 16:

Win discloses wherein when the operation indicated by said access request is operation which the user or user processing apparatus identified by said user identification information is either inhibited from or permitted for operating by said integrated-data access privileges, said controlling means limits the operation indicated by said access request [col 8, lines 57-63].

Claim 8:

Win discloses wherein the limit operation by said controlling means is to inhibit the operation; and said controlling means controls permission/inhibition of the operation indicated by said access requests and respectively applied to said plurality of dispersed data constituting the integrated data, by using said dispersed-data access privilege and said integrated-data access privilege [col 2, lines 41-56].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Win in view of US Pat No 5,809,495 issued to Loaiza (hereafter Loaiza), as best examiner is able to ascertain.

Claims 18 and 19:

Win discloses the elements of claims 1 and 9 as noted above. Win fails to disclose wherein when generating said corresponding relationship information, the information on the access privilege to the dispersed data corresponding to access privilege to a virtual table is collected from the respective database of the dispersed data. Loaiza discloses a database management system software that maintains a set of virtual tables that store information about current database activity for example current sessions, a specific session, statistics for a session, locks and open cursors [Fig 4, 400, col 5, lines 48-57]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Win to include the teachings of Loaiza such that wherein when generating said corresponding relationship information, the information on the access privilege to the dispersed data corresponding to access privilege to a virtual table is collected from the respective database of the dispersed data. In particular, examiner maintains that the disclosure by Loaiza of session locks reads on the claimed access privilege. The ordinarily skilled artisan would have been motivated to improve the invention of Win by including virtual tables which control access privileges to provide

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dynamic performance of a database management system such as access control [col 5, lines 12-20].

Response to Arguments

Applicant's arguments filed 5/11/2004, have been fully considered but they are not persuasive.

Applicant Argument No 1:

Applicant on page 12, lines 17– 20, the following, “Win et al does not disclose or suggest anything related to a multi-database processing apparatus for performing an integration processing to data stored in a plurality of databases as recited in the claims of the present application.”

Examiner Response No 1:

Examiner is not persuaded. Examiner is perplexed as Win's disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action.

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a multi-database processing apparatus for performing an integration processing to data stored in a plurality of databases) are not recited in the rejected claim(s) as best examiner is able to ascertain. Examiner is unable to identify the alleged claim language since applicant fails to identify the pertinent claim. Applicant merely states “as recited in the claims of the present

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invention.” Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, examiner maintains the following disclosure by Win, column 4 lines 32-49 reads on the claim limitation “a multi-database processing apparatus”

FIG. 1 is a block diagram of main elements of an information access system 2 according to a preferred embodiment. Generally, an information access system 2 comprises a plurality of components including an Access Server 106 Registry Server 108 Administration Application 114, and Integration Tools 115. The foregoing components cooperate to control access to resources stored on one or more Protected Servers 104, 112. Generally, each Protected Server is a Web server. Each component comprises one or more modules. Each module provides one or more services to users of the system 2 and administrators. There may be any number of Protected Servers 104. Users are individuals who have a relationship with an organization and play various roles, and are registered in the system 2. Users may be members of an organization, or may be customers, suppliers, or business partners of the organization. Administrators control the system.

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In one embodiment, all the components are stored on and executed by one physical server or computer. In alternate embodiments, one or more components are installed on separate computers; this approach may improve security and performance. For example, Registry Server 108 may be part of a secure Intranet that is protected using a firewall 118, and Access Server 106 may be located on an extranet for access by users inside and outside the enterprise. Further, there may be more than one Registry Server 108 in a mirrored or replicated configuration. Each Access Server 106 may be coupled to more than one Registry Server 108 so that a particular Access Server 106 can communicate with a second Registry Server 108 if a first one is busy or unavailable. Each Registry Server 108 may be coupled to or support more than one Access Server 106. Each Registry Server 108 may execute operations using multiple execution threads, in which access of each thread to Registry Repository 110 is managed by the Access Control Library.

Examiner maintains the disclosure by Win of : (1) Access server 106 – one or more, (2) Registry server 108 – one or more, (3) Administration Application 114, and (4) any number of Protected servers 104 reads on the claim limitation “a multi-database processing apparatus.”

Applicant Argument No. 2:

Applicant states on page 13 lines 17 – 20, the following, “This portion of Win et al does not disclose or suggest anything related to receiving a plurality of dispersed data from a plurality

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of database apparatuses or a request for integrating data from a user processing apparatus, as recited in the claims of the present invention.”

Examiner Response No 2:

Examiner is not persuaded. Examiner is perplexed as Win’s disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action.

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., receiving a plurality of dispersed data from a plurality of database apparatuses or a request for integrating data from a user processing apparatus) are not recited in the rejected claim(s) as best examiner is able to ascertain. Examiner is unable to identify the alleged claim language since applicant fails to identify the pertinent claim. Applicant merely states “as recited in the claims of the present invention.” Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argument No. 3:

Applicant states on page 14, lines 3-7, the following, “However, entering a name and password to a login screen on a Web browser does not disclose or suggest anything related to integrating a plurality of received dispersed data or anything related to generating integrated data dynamically. This disclosure in Win et al has nothing to do with these limitations in the claims of the present application.”

Examiner Response No 3:

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Examiner is not persuaded. Examiner is perplexed as Win's disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action.

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., integrating a plurality of received dispersed data or anything related to generating integrated data dynamically) are not recited in the rejected claim(s) as best examiner is able to ascertain. Examiner is unable to identify the alleged claim language since applicant fails to identify the pertinent claim. Applicant merely states "these limitations in the claims of the present invention." Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argument No 4:

Applicant states on page 14, lines 8-16, the following, "Applicants have pointed out some of several deficiencies in the examiner's assertion that Win et al discloses the limitations of the present application. As noted previously, Win et al is directed simply to authentication of a user to access stored resources. In contrast, the claims of the present application are directed to providing information that correlates an access privilege for operating an integrated database and an access privilege for accessing a before-integrated individual database to match with each other in integrating a plurality of databases. Win et al. and the claims of the present application are clearly directed at two totally separate and distinct inventions.

Examiner Response No 4:

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Examiner is not persuaded. Examiner is perplexed as Win's disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action.

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., providing information that correlates an access privilege for operating an integrated database and an access privilege for accessing a before-integrated individual database to match with each other in integrating a plurality of databases) are not recited in the rejected claim(s) as best examiner is able to ascertain. Examiner is unable to identify the alleged claim language since applicant fails to identify the pertinent claim. Applicant merely states "the claims of the present application." Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argument No 5:

Applicant states on page 14, lines 17-23 the following, "Moreover, Applicants submit that Win et al does not disclose or suggest the limitations in the claims of each of claims 1 and 9 of, inter alia, dispersed data access privilege correlating dispersed data identification information for identifying a first user name permitted to access the dispersed data, or an integrated access privilege correlating integrated data information identifying a second user name permitted to access integrated data where the first user name and the second user name represent a same user."

Examiner Response No 5:

Examiner is not persuaded. Examiner is perplexed as Win's disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action.

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., dispersed data access privilege correlating dispersed data identification information for identifying a first user name permitted to access the dispersed data, or an integrated access privilege correlating integrated data information identifying a second user name permitted to access integrated data where the first user name and the second user name represent a same user) are not recited in claims 1 and 9 as best examiner is able to ascertain. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, the above claim language "where the first user name and the second user name represent a same user" is indefinite. It is difficult to determine how applicant claims an access privilege for a first user and an access privilege for a second user and then claims that the first user and the second user are the same. Examiner maintains above claim limitation is indefinite, unclear and confusing.

Applicant Argument No 6:

Applicant states on page 15, lines 11- 19, the following, "Win et al does not disclose or suggest anything related to a multi-database system, multi-database processing apparatus for performing an integration processing, a first user name permitted to access dispersed data, a second user name permitted to access integrated data, a corresponding relationship between

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dispersed data access privilege and integrated data access privilege, or any other limitations of the present application. The examiner fails to point out specifically, among other things, where multiple databases exist in Win et al or where any integration of the data in the multiple databases occurs in Win et al.”

Examiner Response No 6:

Examiner is not persuaded. Examiner is perplexed as Win’s disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action. Furthermore, in response to applicant’s argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., multi-database processing apparatus for performing an integration processing, a first user name permitted to access dispersed data, a second user name permitted to access integrated data, a corresponding relationship between dispersed data access privilege and integrated data access privilege) are not recited in the claims of the present invention as best examiner is able to ascertain. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, applicant is referred to above Examiner Response No. 1 for a detailed consideration of “multi-database processing apparatus.”

Furthermore, in response to applicant’s argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., integration of the data in the multiple databases). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argument No 7:

Applicant states on page 16 lines 1-6, the following, "These interpretations are incorrect and not supported by any disclosure in Win et al. Even if these interpretations are correct (which they are not) Win et al does not disclose or suggest correlating access privileges with each other, as recited in the claims of the present application."

Examiner Response No 7:

Examiner is not persuaded. Examiner is perplexed as Win's disclosure relevant to the claims of instant invention is, element by element, clearly identified element in supra office action. Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., correlating access privileges with each other) are not recited in the claims of the present invention as best examiner is able to ascertain. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

October 18, 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100